

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PAUL A. SANTELLANO,

No. C 07-05788 CW (PR)

Plaintiff,

ORDER OF DISMISSAL WITHOUT
PREJUDICE

v.

ROBERT A. AYERS, WARDEN,

Defendants.

Plaintiff, a state prisoner, filed the present pro se prisoner complaint under 42 U.S.C. § 1983. Plaintiff filed a completed in forma pauperis application and his certificate of funds; however, he did not file a copy of his prisoner trust account statement. The Clerk of the Court notified Plaintiff that his in forma pauperis application was deficient due to the failure to include a prisoner trust account statement for the previous six months. The Clerk sent a notice to Plaintiff, informing him that his action could not go forward until he filed the necessary document within thirty days, and that his failure to do so would result in dismissal of this action. More than thirty days have passed and Plaintiff has not submitted his prisoner trust account statement.

Accordingly, this action is DISMISSED WITHOUT PREJUDICE. Plaintiff's in forma pauperis application is DENIED as incomplete. The Clerk of the Court shall close the file.

IT IS SO ORDERED.

Dated: 1/11/08


CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

PAUL A SANTELLANO,

Plaintiff,

v.

ROBERT A AYERS, WARDEN et al,

Defendant.

Case Number: CV07-05788 CW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on January 11, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Paul A. Santellano J00586
San Quentin State Prison
San Quentin, CA 94974

Dated: January 11, 2008

Richard W. Wieking, Clerk
By: Sheilah Cahill, Deputy Clerk

United States District Court
For the Northern District of California